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PATENTING REJECTION OVER A PENDING SECOND  
APPLICATION**Docket Number (Optional)  
8330-000202/DVB

In re Application of: Timothy J. Boyd, et al.

Application No. 10/034,593

Filed: December 28, 2001

For: Blow Molding Machine For Producing Pasteurizable Containers (As Amended)

The owner, Schmalbach-Lubeca AG of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 158 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/006,658, filed on November 12, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

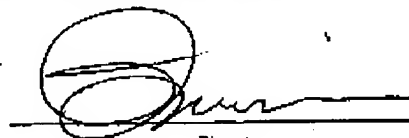
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2. ☐ The undersigned is an attorney of record.



Signature

JAN 22, 2004

Date

Christopher Irwin

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- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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